

REMARKS

By this Amendment, Claim 1 is amended, and Claims 12-15 are added. Applicant respectfully submits that no new matter is added.

In the Office Action dated September 22, 2005, Claims 8-10 were allowed and Claims 2-4, although objected to for depending from a rejected base claim, would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claim. New Claims 13-15 correspond to Claims 2-4 rewritten into independent form.

Consequently, Applicant respectfully submits that Claims 8-10 and 13-15 are in condition for allowance.

Claim 1 is amended to broaden the scope thereof, and new Claim 12 recites the feature deleted from Claim 1 by this Amendment. Consequently, Claim 1 is now believed to be generic to all species.

Election/Restriction

In response to the Election/Restriction Requirement dated March 7, 2006, Applicant hereby elects to have further prosecution in this application be directed at this time to Species I, drawn to Figures 2-4, with traverse. Claims 1, 3-7, and 10 read on the elected species.

Additionally, Applicant submits that Claim 1 is generic to all species. As such, Applicant reserves the right under 37 C.F.R. § 1.141 to rejoin the claims directed to the non-elected species upon allowance of generic Claim 1.

Also, Applicant reserves the right to file one or more divisional applications on the non-elected subject matter.

However, Applicant respectfully submits that the restriction requirement is improper because the restriction requirement does not provide reasons why each species, as claimed, is either independent or distinct from the other species nor has the Office Action provided any reasons as to why the examination of all of the pending claims (Claims 1-10) would pose a serious burden, as required under M.P.E.P. § 808. According to M.P.E.P. § 808.01, a mere statement of conclusion is inadequate; the reasons relied upon for imposing a restriction requirement must be provided.

Moreover, Applicant respectfully submits that there is no undue burden in examining all of the pending claims, because Claims 1-10 have already been examined on the merits. See the Office Action dated September 22, 2005, in which Claims 8-10 were allowed, Claims 2-4 would be allowable if rewritten into independent form, and Claims 1 and 5-7 were rejected under 35 U.S.C. § 102(e). Thus, all of the pending claims have already been examined on the merits. Consequently, Applicant respectfully submits that there is no undue burden to continue examination of all of the pending claims.

Applicant also makes reference to the telephone conversation of March 15, 2006 between Applicant's representative and Examiner Dilinh Nguyen, during which Examiner Nguyen stated that, if the pending Restriction Requirement were traversed, Claims 1-10 would continue to be examined. Therefore, because Applicant respectfully traverses the Restriction Requirement, Applicant respectfully requests continued examination of Claims 1-10.

Conclusion

In view of the foregoing, reconsideration of the application, allowance of Claims 1-10 and 12-15, and the prompt issuance of a Notice of Allowability are respectfully solicited.

In the event this paper is not considered to be timely filed, the Applicant respectfully petitions for an appropriate extension of time. Any fees for such an extension, together with any additional fees that may be due with respect to this paper, may be charged to counsel's Deposit Account No. 01-2300, **referencing docket number 107156-00215.**

Respectfully submitted,
ARENT FOX PLLC

A handwritten signature in black ink, appearing to read "Darien Reddick", is written over a horizontal line.

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